

TRANSMITTAL FORM

Application Number 09/432,881
 Filing Date November 2, 1999
 First Named Inventor Markey, Micheline
 Art Unit 1614
 Examiner Name Shirley Gembeh
 Attorney Docket Number 015662-000900US

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

ENCLOSURES (Check all that apply)

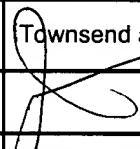
- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard |
|--|--|--|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

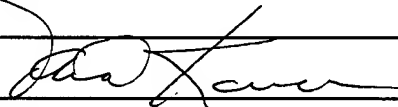
Firm Name Townsend and Townsend and Crew LLP
 Signature 
 Printed name Joel G. Ackerman
 Date 07/03/2007

Reg. No. 24,307

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature



Typed or printed name

Dana Kane

Date

07/03/2007

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Docket No.: 015662-000900US

On July 3, 2007
TOWNSEND and TOWNSEND and CREW LLP
By: [Signature]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Micheline Markey, John W.
Shell, Bret Berner

Application No.: 09/432,881

Filed: November 2, 1999

For: PHARMACOLOGICAL
INDUCEMENT OF THE FED
MODE FOR ENHANCED DRUG
ADMINISTRATION TO THE
STOMACH

Confirmation No.: 1727

Examiner: Shirley Gembeh

Art Unit: 1614

RESPONSE - REQUEST
FOR
RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 16, 2007, Applicants respectfully request reconsideration and re-examination based on the comments herein.

Respecting the objection to claim 98, Applicants hope that can be corrected by Examiner's Amendment on allowance of claims.

Claim 99 is rejected as indefinite in failing to show steps that resulted in the calculation that onset of the fed mode occurs by release of an amount of less than 500 mg of the inducing agent.

Claim 99 calls for the use of a fed mode inducing agent that is sufficiently potent that the fed mode is induced by use of less than 500 mg of the agent. Applicants do not fully understand the nature of this rejection. No calculations are considered